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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication which he has received from the Director General of the International Atomic Energy Agency (IAEA).

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Annex

Letter dated 22 December 1992 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

Please find attached the report of the sixteenth IAEA inspection in Iraq under Security Council resolution 687 (1991). You may deem it appropriate to transmit the report to the members of the Security Council. I remain, of course, available with the Chief Inspector, Professor Maurizio Zifferero for any consultations you or the Council may wish to have.

(Signed) Hans BLIX

Enclosure

Report on the sixteenth International Atomic Energy Agency on-site inspection in Iraq under Security Council resolution 687 (1991)

5-8 December 1992

SALIENT POINTS

The former headquarters buildings of the PC-3 project, where the sixth and seventh IAEA inspection teams had collected documentary evidence relevant to the Iraqi nuclear programme, were visited by the IAEA team with the support of UNSCOM-CBW team members. These buildings are now used by the Military Industrial Committee (MIC) as an Engineering Design Centre to rebuild the Iraqi industry. Although no activity was observed or documentation found relevant to Security Council resolution 687 (1991), removal of documents from the site was observed upon arrival of the inspection team, which constitutes a violation by Iraq of the rights of IAEA and the Special Commission under the pertinent Security Council resolutions.

Short notice inspections were carried out at an IAEC guest house in the Tuwaitha area and at a warehouse in the Al Atheer Centre.

The Iraqi Minister of Higher Education and Scientific Research and present Chairman of the Iraqi Atomic Energy Committee (IAEC), Dr. Human Abdel Khaliq Ghaffour has informed the team that the Iraqi authorities will "deal positively" with inquiries from IAEA regarding the procurement of equipment and materials for the Iraqi nuclear programme. The exchange of correspondence which followed is part of this report.

INTRODUCTION

1. This report summarizes the results of the sixteenth inspection mission carried out in Iraq by IAEA under Security Council resolution 687 (1991), with the assistance and cooperation of the Special Commission. The mission took place from 5 to 8 December 1992 and was headed by Professor Maurizio Zifferero of the IAEA as Chief Inspector. The team consisted of eight inspectors (comprising seven nationalities) and support staff. At the conclusion of the mission, three members of the Agency team remained in Iraq to join an ongoing Special Commission inspection which concluded on 14 December.

2. A primary objective of the mission was to inspect a complex of buildings including the former headquarters buildings of the PC-3 project in downtown Baghdad and to search for documents relevant to the Iraqi programme on nuclear and, possibly, chemical and biological weapons of mass destruction. Two buildings of this complex, which consists of five high-rise buildings, had been previously inspected in September and October 1991 by the sixth and seventh IAEA inspection teams. It was during the inspection of these

buildings, identified as the former PC-3 project headquarters, that the sixth IAEA team was kept for four days in a parking lot before being allowed to leave with PC-3 relevant documents found there. A further objective of the inspection was to confirm the function of the other three buildings of the complex and their possible relationship with resolution 687 (1991)-relevant activities.

3. The inspection of the complex was carried out by the IAEA sixteenth nuclear inspection team with support from a Special Commission chemical-biological weapon (CBW) team. The team, staffed by a total of 36 inspectors and other support staff, was headed by M. Zifferero as Chief Inspector.

INSPECTION OF THE MIC COMPLEX IN DOWNTOWN BAGHDAD

4. The MIC complex, former PC-3 headquarters, is part of a group of five nearly identical high-rise buildings in the immediate proximity of the Ishtar Sheraton Hotel. Activities of MIC are housed in the two southern buildings (buildings Nos. 1 and 2 of figure 1) of the complex. As declared by the Iraqi side and confirmed in the course of the inspection, building No. 3 is used as a dormitory for students of the Islamic University, building No. 4 is the Directorate of Criminal Investigation in charge of prosecuting irregular economic (market related) activities and building No. 5 is the College of Islamic Studies. The entire complex is surrounded by a fence. An internal fence separates buildings Nos. 1 and 2 from the rest of the complex. The team, operating under a no notice procedure, entered the complex at 0815 hours on Sunday, 6 December, and split into six groups to conduct systematic and simultaneous searches of the site. Three groups concentrated on buildings Nos. 1 and 2, one group inspected buildings Nos. 3 and 4 and the remaining two groups provided site surveillance and random checks of Iraqi personnel exiting the complex. The area of the complex was observed by the Special Commission personnel from the 17th floor of the Sheraton Hotel.

5. The Iraqi authorities provided assistance to facilitate the operation of the different groups and to secure access to all parts of the buildings. At the outset of the inspection, however, while the different groups were heading towards their assigned positions, six or seven individuals carrying files, ring binders and large rolls of paper were seen leaving the buildings in a hurry and some were seen boarding a city public transport bus. Action to stop these individuals was not successful, however other documents were intercepted in the process of being removed or hidden. These documents were found not to be relevant to resolution 687 (1991). Confronted with this situation and with video tape footage of the documents removal taken by inspectors, the Chief Iraqi counterpart promised full cooperation and a thorough, immediate investigation of this incident, which he attributed to the "personal initiative of panic-stricken individuals".

6. In the course of the inspection, several blueprints for pharmaceutical plants were identified which required further scrutiny by experts. The Iraqi counterpart indicated that the blueprints were part of ongoing work and

refused to permit their removal or copying in the absence of a judgement that the blueprints were directly related to resolution 687 (1991). The blueprints were inventoried and tagged, in accordance with the procedure established during the sixth IAEA inspection, and held by the Iraqi side for detailed examination by an expert due to arrive later in the mission.

7. The inspection continued throughout the morning. It was concluded that, subject to the outcome of the detailed examination referred to in paragraph 6 above, no documents or activities relevant to resolution 687 (1991) were found. 1/

8. At 1530 hours on the same day, the Iraqi side asked a delegation of IAEA and the Special Commission to return to the site where, it was contended, all documents removed by individuals in the morning's incident had been returned. The Iraqi counterpart had also retrieved the city bus (including the driver) for the team to identify. It was obviously not possible to verify whether the documents presented to inspectors were the ones removed in the morning. The files, binders and rolls of paper presented were basically of an administrative and financial nature while the technical drawings related to industrial projects. None of these documents could be connected with activities prohibited under resolution 687 (1991).

9. The events outlined in paragraphs 5 and 6 constitute violations by Iraq of the rights of IAEA and the Special Commission under the pertinent resolutions (687 (1991), 707 (1991) and 715 (1991) and the plans approved thereunder) which require Iraq to permit the inspection teams of the IAEA and of the Special Commission immediate, unconditional and unrestricted access to all records which they wish to inspect. They also violate the Status Arrangements with Iraq of May 1992 and the plans for ongoing monitoring and verification which include the right of the IAEA and the Special Commission to copy any record, data and information. Letters by the Director General of IAEA and by the Executive Chairman of the Special Commission protesting these violations were sent to the Iraqi authorities.

OTHER ACTIVITIES

10. A short notice inspection was carried out at the site of Al Hamath, near Tuwaitha, to visit a residence belonging to the IAEC. The Iraqi side declared this residence to be a guest house for dignitaries and businessmen visiting Tuwaitha. This building, extremely well kept and elegantly furnished, had never been inspected before. The visit confirmed the stated purpose.

1/ This detailed examination was in fact conducted in the Special Commission premises when the expert arrived. As a result it was possible to conclude that the plants described in the blueprints were not relevant to resolution 687 (1991).

11. A second short notice inspection was carried out at a storehouse (building No. 55) in Al Atheer at the suggestion of the IAEA-15 team. With the exception of a large quantity of chemicals used to plasma-spray molds and liners in chemical and metallurgical equipment, no items were found deserving particular attention or inclusion in the future ongoing monitoring plan.

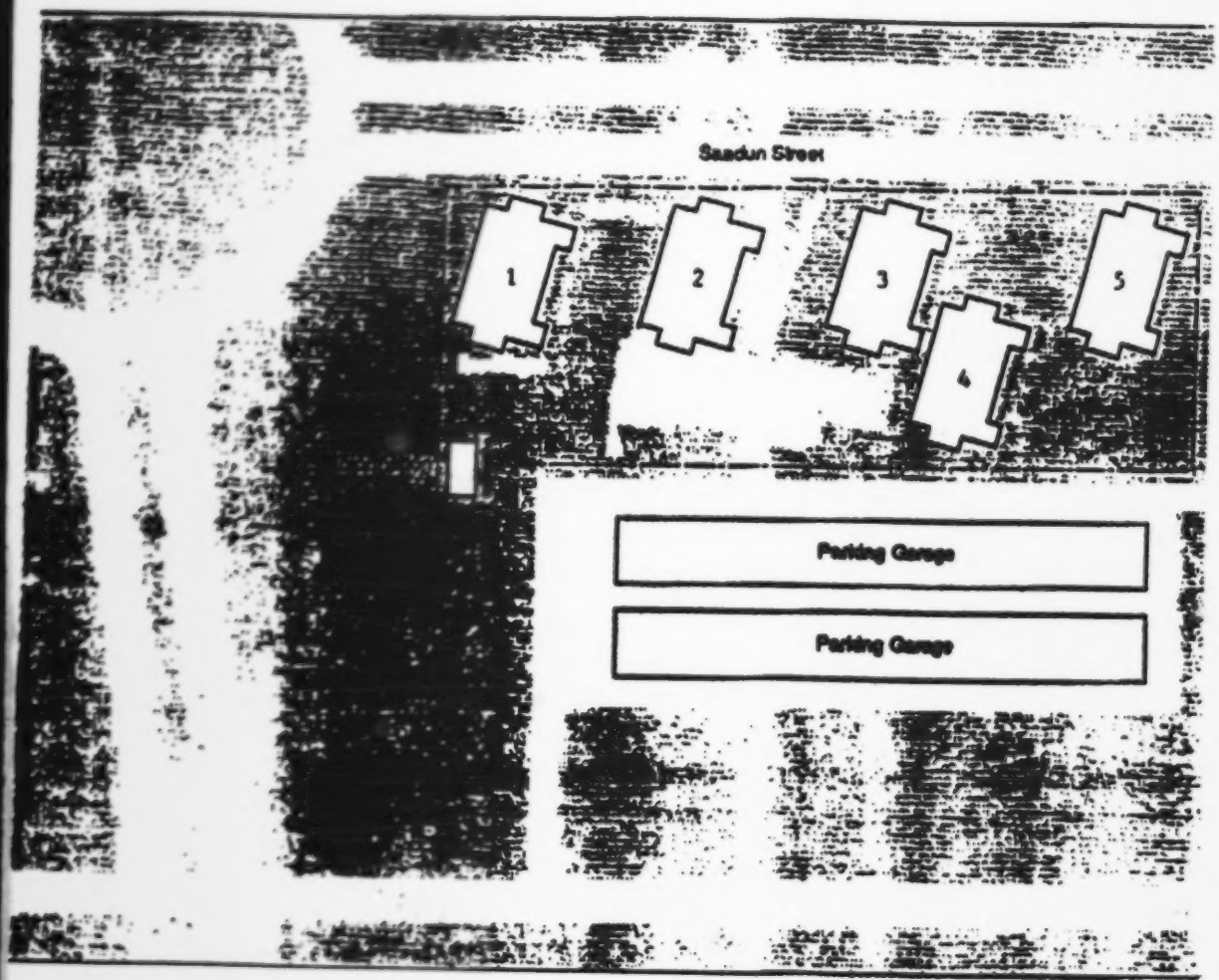
MEETING WITH IRAQI OFFICIALS

12. On 7 December 1992, the Chief Inspector met Dr. Human Abdel Khaliq Ghaffour, Minister of Higher Education and Scientific Research and Chairman of the Iraqi Atomic Energy Commission. The meeting was arranged at the Minister's request and took place at the Ministry. After commenting on the progress made in the course of the last Agency inspection (IAEA-15) in clarifying some of the "grey areas" which still existed in the Iraqi centrifuge enrichment programme, Dr. Ghaffour read a written statement in which he first reiterated the position expressed in New York on 23 November 1992 by the Iraqi Deputy Prime Minister, Tariq Aziz, before the Security Council. Dr. Ghaffour then stated the following:

> "We have given the names of 35 companies in the 'Full Final and Complete' report, 30 companies were named in inspection reports, and 15 were named as a result of the survey of machines, equipments and other items in IAEC workplaces and support facilities. Hence, the total number of the named companies is 80, which represent over 90 per cent, and what remains is less than 10 per cent of the total under question. Any questions about the remaining ones could be put in writing and submitted to us, and it will be dealt with positively."

13. The IAEA has been pressing the issue of procurement-related information since the beginning of the inspection activities under resolution 687 (1991) with little success and therefore has been trying to gain such information through evaluation of inspection results and through the cooperation of Governments. The statement of Dr. Ghaffour lead the IAEA to an immediate follow-up. A letter requesting specific information regarding the sources of maraging steel was sent on 18 December (appendix I). The Iraqi side response, received on 22 December, failed to provide the requested information (appendix II).

Figure 1



Appendix I

On 7 December 1992, I, as the Chief Inspector of IAEA-16, met with Dr. Human Abdel Khaliq Ghaffour, Minister of Higher Education and Scientific Research and Chairman of the Iraqi Atomic Energy Commission. The meeting was arranged at the Minister's request. In the course of this meeting Dr. Ghaffour announced that, as a gesture of good will, the Iraqi authorities were prepared to deal positively with questions related to foreign suppliers of equipment and materials used or planned for use in the Iraqi nuclear programme.

As a first follow-up to Dr. Ghaffour's announcement, I would like to reiterate our previous requests for the following information:

(a) The manufacturers of the maraging steel parts, such as baffles, end caps, rotors, etc., first presented to IAEA-3, and the manufacturers and suppliers of the maraging steel used in these parts.

(b) The manufacturers of the some 1.7 tonne of maraging steel forgings that were being shipped to Iraq when they were stopped at Frankfurt Airport in July 1990, and the manufacturers and suppliers of the maraging steel used in the forgings.

(c) The manufacturers and suppliers of the some 96 tonnes of maraging steel first presented to IAEA-9 and the physical configuration of this material as delivered.

A quick and comprehensive response from the Iraqi side to these questions could permit a reflection of this response in the inspection report of IAEA-16, which is to be sent to the Security Council on Tuesday, 22 December 1992.

(Signed) Maurizio ZIFFERERO
Leader
UNSCR 687 Action Team
IAEA

Mr. A. H. Al-Hajjaj
Head of the Iraqi Nuclear Team

Appendix II

I am referring to your letter of 18 December 1992 concerning your meeting on 7 December 1992 with Dr. Human Abdel Khaliq Abdul Ghaffour, Minister of Higher Education and Scientific Research and Chairman of the Iraqi Atomic Energy Commission.

We should like to receive questions related to procurement, whether they are from the Agency or from the Special Commission, all at one time for it is not convenient to have them in separate instalments in the manner suggested in your letter. We should further point out that most of the information requested by you is known to the Agency.

(Signed) Dr. Abdul Halim Ibrahim AL-HAJJAJ
Head, Iraqi Nuclear Team

Mr. M. Zifferero
Leader, UNSCR 687 Action Team